

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

BROAD-BUSSEL FAMILY LIMITED )  
 PARTNERSHIP, MARIE LOUISE )  
 MICHELSON, MICHELLE MICHELSON )  
 and HERBERT BLAINE LAWSON, JR., )  
 individually and on Behalf of All other )  
 Persons and Entities Similarly Situated )

Case No. 305CV1762 (JBA)

Plaintiffs, )

vs. )

BAYOU GROUP LLC, BAYOU )  
 MANAGEMENT LLC, BAYOU FUND, LLC, )  
 BAYOU SUPER FUND, LLC, BAYOU )  
 NO LEVERAGE FUND LLS, BAYOU )  
 AFFILIATES FUNDS, LLC, BAYOU )  
 ACCREDITED FUND, LLC, BAYOU )  
 OFFSHORE FUND, LLC, BAYOU PARTNERS )  
 LLC, BAYOU SECURITIES LLC, BAYOU )  
 SECURITIES, LTD, BAYOU ADVISORS, LLC, )  
 BAYOU EQUITIES, LLC, IM PARTNERS, )  
 IMG, LLC, SAMUEL ISREAL, III, DANIEL E. )  
 MARINO, RICHMOND-FAIRFIELD )  
 ASSOCIATED, CPA, PLLC, JAMES F. )  
 MARQUEZ, JEFFREY D. FOTTA, EQUITY )  
 RESEARCH AND MANAGEMENT, LLC, )  
 EQUITY RESEARCH AND MANAGEMENT )  
 LTD, CITIBANK N.A., HENNESSEE GROUP )  
 LLC, ELIZABETH LEE HENNESSEE, )  
 CHARLES J. GRADANTE, and STERLING )  
 STAMOS CAPITAL MANAGEMENT, L.P., )

Defendants. )

December 27, 2005

**DEFENDANTS HENNESSEE GROUP LLC, ELIZABETH LEE HENNESSEE  
AND CHARLES J. GRADANTE'S MOTION FOR A PRE-MOTION CONFERENCE**

Pursuant to Section (f) of the Court's Order on Pretrial Deadlines, defendants Hennessee Group LLC ("Hennessee"), Elizabeth Lee Hennessee and Charles J. Gradante (collectively the "Individual Defendants") hereby request a telephonic pre-motion conference in connection with

the filing of Defendants' proposed motions to dismiss, which will be based on the following grounds.

First, pursuant to Fed. R. Civ. P. 12(b)(2), Defendants contend that this Court lacks personal jurisdiction over Defendants because, among other reasons, the proposed representative for the putative Hennessee Subclass is a limited partnership organized under the laws of North Carolina with registered offices located in Chapel Hill, North Carolina and therefore cannot invoke Connecticut's long-arm statute to sue Defendants, a foreign company and foreign residents, in Connecticut.

Second, pursuant to Fed. R. Civ. P. 12(b)(6), the Individual Defendants contend that all claims against them fail as a matter of law principally because the allegations are insufficient under applicable law.

Third, pursuant to Fed. R. Civ. P. 12(b)(6), the Individual Defendants contend that the Connecticut Unfair Trade Practices claim fails as a matter of law principally because New York law applies and alternatively the Unfair Trade Practices Act does not apply to securities transactions.

Fourth, pursuant to Fed. R. Civ. P. 12(b)(6), Defendants contend that the breach of fiduciary duty and negligence claims fail as a matter of law principally because the allegations are insufficient under applicable law.

Fifth, pursuant to Fed. R. Civ. P. 12(b)(6), Hennessee contends that the breach of the implied covenant of good faith and fair dealing claim fails as a matter of law principally because the allegations are insufficient under applicable law.

Sixth, pursuant to Fed. R. Civ. P. 12(b)(6), Defendants contend that certain claims fail as a matter of law as they are barred by the applicable statutes of limitation.

For each of the above-stated reasons, Defendants respectfully request that this Court grant the Motion for a Pre-Motion Conference.

DEFENDANTS HENNESSEE GROUP LLC,  
ELIZABETH LEE HENNESSEE AND  
CHARLES J. GRADANTE

By: 

Marc J. Grenier (ct10545)  
DePanfilis & Vallerie, LLC  
25 Belden Avenue

P.O. Box 699

Norwalk, CT 06852-0699

Telephone: (203) 846-9585

Facsimile: (203) 847-2849

E-Mail: [marcgrenier@depanfilisandvallerie.com](mailto:marcgrenier@depanfilisandvallerie.com)

**CERTIFICATION**

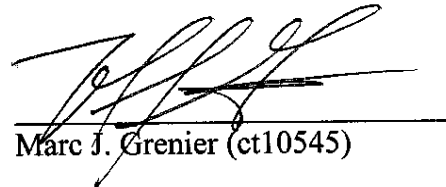
This is to certify that a copy of the above MOTION FOR A PRE-MOTION CONFERENCE was mailed or electronically delivered on the 27th day of December 2005 to all parties of record as follows:

William M. Bloss, Esq.  
Koskoff, Koskoff & Bieder, P.C.  
350 Fairfield Avenue  
Bridgeport, CT 06604

Patrick J. McHugh, Esq.  
Finn Dixon & Herling  
One Landmark Square, Suite 1400  
Stamford, CT 06901

Sung-Hee Suh, Esq.  
Schulte, Roth & Zabel, LLP-NY  
919 Third Avenue  
New York, New York 10022

William Morten Tong, Esq.  
Finn Dixon & Herling  
One Landmark Square  
Suite 1400  
Stamford, CT 06901

  
Marc J. Grenier (ct10545)